



Patent  
Attorney Docket No. 033275-408

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Juergen Hoffman et al.

Application No.: 10/635,668

Filing Date: August 7, 2003

Title: GAS TURBINE SET

Group Art Unit: 3748

Examiner: Thai Ba TRIEU

Confirmation No.: 8893

**SUBMISSION OF TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached please find an executed Terminal Disclaimer in connection with the application identified above.

The requisite fee is  \$55.00 (2814)  \$110.00 (1814).

- Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.  
 A check in the amount of \$ 110.00 is enclosed for the fee due.  
 Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.

This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By

Elaine P. Spector

Elaine P. Spector  
Registration No. 40,116

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: August 26, 2004



<b>TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT</b>		Docket Number (Optional) 033275-408
--	--	--

In re Patent Application of: Juergen Hoffman et al.

Application No.: 10/635,668

Filed: August 7, 2003

For: GAS TURBINE SET

The owner\*, Alstom Technology Ltd, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 and 173 as presently shortened by any terminal disclaimer, of prior Patent No. 6,644,012. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: Expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1.  For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

2.  The undersigned is an attorney or agent of record.

Signature

August 26, 2004

Date

\_\_\_\_\_  
William C. Rowland, R.N. 30,888

\_\_\_\_\_  
Typed or printed name

\_\_\_\_\_  
(703) 836-6620

\_\_\_\_\_  
Telephone Number

- Terminal disclaimer fee under 37 C.F.R. § 1.20(d) is included.

\*Statement under 37 C.F.R. § 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.